REMARKS / DISCUSSION OF ISSUES

Claims 1-22 are pending in the application. Claims 1, 6, 12 and 17 are in independent form.

Applicants gratefully acknowledge the indication of acceptability of the drawings filed on August 20, 2004.

Rejections under 35 U.S.C. § 112, Second Paragraph

Claims 18-22 were rejected under 35 U.S.C. § 112, Second Paragraph. The issues raised in the Office Action each have been addressed, rendering these rejections moot.

Rejections under 35 U.S.C. § 102

1. Claims 1, 3, 5, 12-22 were rejected under 35 U.S.C. § 102(b) as being unpatentable over *Dockerty*. (U.S. Patent 3,338,696). For at least the reasons set forth below, it is respectfully submitted that the rejected claims are patentable over the applied art.

A proper rejection for anticipation requires, as the first step in the inquiry, that all the elements of the claimed invention be described in a single reference. A necessary corollary to the test of anticipation is that the absence from the reference of any claimed element negates anticipation.

At the outset, the presently rejected claims include specific features that have not been specifically addressed in the Office Action. Some of the deficiencies in the Office Action are noted herein. Respectfully, Applicants have paid the appropriate claim fees for this application. Applicants are entitled to a full and complete examination of each and every pending claim, including all features recited therein. If the Examiner cannot cite prior art taken alone or in combination which would have produced the method and apparati of the presently rejected claims, then Applicants respectfully submit that they are entitled to an allowance of their claims as a matter of law. Accordingly, the Examiner is respectfully requested to cite something in the prior art disclosing the

methods and apparati with the applied art and all of the features recited in the various claims, or else allow Applicant's claims.

Claim 1 is drawn to a method of fabricating a glass drawn sheet. The method includes "*...measuring a parameter at a first portion and at a second portion of a glass sheet drawn from the isopipe, and maintaining a ratio of the parameter at the first portion to the parameter at the second portion to within a prescribed range.* "

The reference to *Dockerty* is drawn to a sheet forming apparatus. The reference to *Dockerty* discloses a prescription for forming a contoured bottom of a trough or weir device 12 and mathematically calculated channel portions for uniform sheet thickness. The reference also discloses the use of a cam 16, wedge or adjustable roller to provide a desired tilt angle. However, the reference does not disclose the measuring of a parameter at a first portion and at a second portion and the maintaining of a ratio thereof within a range. Moreover, the Office Action does not cite where such features are found in the reference. The reference does disclose the relationship between tilt angle, flow rate and viscosity and the operation of the weir at different values thereof. However, there is no disclosure of the **measuring of a parameter** or the **maintaining of a ratio of the parameter** as set forth in claim 1. (Kindly refer to column 3, lines 29-60 and column 5, lines 13-33).

With particular regard to claims 2, 3 and 4 there is no disclosure in *Dockerty* of the measuring of the viscosity, mass or temperature. While these parameters may be used in calculations, the reference is silent on their measure.

With particular regard to claim 5, the Office asserts that the uniformity of the thickness in *Dockerty* provides the adequate description of the ratio of 1.0. Claim 5 has been amended to further define the acceptable values of the parameter. It is respectfully submitted that this is not taught by the reference to *Dockerty*.

Claim 12 is drawn to an apparatus and features "*...a controller, which selectively tilts the Isopipe to maintain a ratio of a mass of a glass sheet on a first side to a second side of the glass sheet to within a prescribed range.*"

As noted, the reference discloses a cam 16 or similar device, but does not disclose a controller (e.g., controller 313 of the embodiment of Fig. 3). Moreover, the weir of the reference to *Dockerty* may be designed that for a given tilt angle the product of the flow rate and the viscosity is constant, there is no disclosure of the controller selectively tilting the isopipe to maintain a ratio of the mass as set forth in claim 12.

With particular regard to claim 13, the Office Action has failed to cite the germane portion of the reference to *Dockerty* where these features are disclosed.

With particular regard to claim 14, it is respectfully submitted that these features are not disclosed in *Dockerty*.

Claim 17 is also drawn to a method. The method includes "*...controlling a mass or a viscosity, or both, of the glass from an isoplpe, or both, to substantially eliminate horizontal movement of the glass sheet during the drawing.*"

As noted previously, the reference to *Dockerty* does disclose a weir that will operate so the product of the flow rate and the viscosity is constant for varying viscosity. However, the reference does not disclose controlling the mass or viscosity to eliminate horizontal movement of the glass sheet.

With regard to claims 18 and 20, the Office Action has failed to cite the germane portion of the reference to *Dockerty* where these features are disclosed.

Claims 19 and 20 have been amended to further define the acceptable values of the ratios. It is respectfully submitted that these values are not taught by the reference to *Dockerty*.

For at least the reasons set forth above, it is respectfully submitted that the reference to *Dockerty* lacks the disclosure of at least one feature of each of independent claims 1, 12 and 17. Therefore, a rejection based on the reference to *Dockerty* is improper and should be withdrawn. Accordingly, because a proper *prima facie* case of anticipation has not been established, claims 1, 12 and 17 and the claims that depend therefrom are allowable over the applied art. Allowance is earnestly solicited.

2. Claims 1, 2 and 4-11 were rejected under 35 U.S.C. § 102(e) as being unpatentable over *Pitbladdo* (U.S. Patent Publication 2004/0154336 A1). For at least the reasons set forth below, it is respectfully submitted that the rejected claims are patentable over the applied art.

Again, respectfully, the presently rejected claims include specific features that have not been specifically addressed in the Office Action. Some of the deficiencies in the Office Action are noted herein. Respectfully, Applicants have paid the appropriate claim fees for this application. Applicants are entitled to a full and complete examination of each and every pending claim, including all features recited therein. If the Examiner cannot cite prior art taken alone or in combination which would have produced the method and apparati of the presently rejected claims, then Applicants respectfully submit that they are entitled to an allowance of their claims as a matter of law. Accordingly, the Examiner is respectfully requested to cite something in the prior art disclosing the methods and apparati with the applied art and all of the features recited in the various claims, or else allow Applicant's claims.

As noted previously, claim 1 features: "*...measuring a parameter at a first portion and at a second portion of a glass sheet drawn from the isopipe, and maintaining a ratio of the parameter at the first portion to the parameter at the second portion to within a prescribed range.*"

The Office Action fails to cite that this is described in the reference to *Pitbladdo*. The Office Action asserts that the reference discloses methods and apparati for making drawn glass sheets having uniform thickness across its width. Moreover, the Office Action asserts that the temperature is taken at several locations along the length of the overflow trough. Finally, the Office Action asserts that the measured temperatures are used in a precise thermal control system to maintain uniform viscosity across the width of the drawn glass sheet. This notwithstanding, the Office Action does not provide the disclosure in *Pitbladdo*, nor has the undersigned found therein, the disclosure of the features of claim 1 noted above. To wit, the undersigned attempted a computer search of

the applied reference and cannot find an instance of the use of the term 'viscosity' in the applied reference.

Claim 6 features "...*a controller, which selectively adjusts the device to maintain a ratio of the viscosity of the on a first side of the isopipe to a second side of the isopipe is within a prescribed range.*"

It is respectfully submitted that the reference to *Pitbladdo* lacks at least the disclosure of this feature of independent claim 6. The reference to *Pitbladdo* does disclose a precise thermal control system to redistribute the flow of molten glass at the weirs. However, the Office Action fails to provide the disclosure in *Pitbladdo* of the controller that selectively adjusts the device to maintain a ratio of viscosity as set forth in claim 6.

With particular regard to claim 11,

For at least the reasons set forth above, it is respectfully submitted that a prima facie case of anticipation has not been made. Therefore, it is submitted that claims 1 and 6 and the claims that depend therefrom are patentable over the applied art. Allowance is earnestly solicited.

Conclusion

In view of the foregoing, applicant(s) respectfully request(s) that the Examiner withdraw the objection(s) and/or rejection(s) of record, allow all the pending claims, and find the application in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and further replies to charge payment or credit any overpayment to Deposit Account Number 50-0238 for any additional fees, including, but not limited to, the fees under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17.

Respectfully Submitted
on behalf of:
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